J.M. 102010 Lindic Burney Mrause to C.S.H.B. No. 2950 Amend Amendment amendments packet) by striking page 1 (page 6 of the prefiled line 6 through page 2, line 3 and substituting the following CLAIM OR DEFENSE FOR PROHIBITED RULE OR Sec. 301.006 POLICY. (a) A person may assert as an affirmative defense in an administrative hearing or as a claim or defense in a judicial proceeding under Chapter 37, Civil Practice and Remedies Code, that a board rule, regulation, or policy, or a penalty imposed by the board: (1) limits the ability of an applicant for a license 100 under this chapter to be licensed based on a sincerely held religious belief of the applicant; or (2) burdens a license holder's: 1,3 14 (A) free exercise of religion, regardless of whether the burden is the result of /a rule generally applicable 15 16 to all license holders; (B) freedom of speech regarding a sincerely helf 17 18 religious belief; or 19 (C) membership in any religious organization. 20 (b) Subsection (a) does not apply to a rule, regulation, or policy adopted or a penalty imposed by the board that results 21 in a limitation or burden described by Subsection (a) if the 22 rule, regulation, policy, or penalty is: 23 (1) essential to enforcing a compelling governmental 24 25 purpose; and (2) narrowly tailored to accomplish that purpose. 26 A person may bring an action for injunctive relief 27 28